

REMARKS

I. Status of claims

Claims 1-20 are pending in this application. By this Preliminary Amendment, claims 1, 2, 6-12, and 14 have been amended. Reconsideration of the rejection is respectfully requested in view of the above amendments and the following remarks.

II. Claim Rejections

Claims 1-20 have been rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,699,527 to Davidson in view of U.S. Patent No. 5,870,721 to Norris. This rejection is respectfully traversed.

Applicants fully responded to this rejection in the Amendment after final rejection. However, some additional amendments have been made to the claims. Notably, due to the failure of Davidson to disclose a web site, and in particular, a web site hosted by a loan processing computer, the claims have been amended to further define this feature. As previously set forth, the loan application in Davidson is created on the user's home computer or other device remote from the loan processing computer. This is true in each and every embodiment of Davidson as exemplified in FIG.s 3 and 4 of Davidson. The description of FIG. 3D, specifically referenced by the Examiner provides that the LS program is downloaded to the loan applicant computer. Such downloading of a program would be entirely unnecessary if the loan applicant were accessing a web site.

In the invention as presently claimed, the loan application is created at the loan processing computer system from a loan application form stored at the loan processing computer system and data entered by the applicant through the web interface.

Furthermore, while the system of Davidson is intended to simplify data entry, it does not otherwise streamline bank processing. In other words, bank processing by multiple employees remains unchanged. See for example, column 7, line 39 through Column 8, line 27. Thus the claims are further amended to emphasize the automated nature of the process, such that both approval and generation of documents can be accomplished by the loan processing computing system without human intervention.

As set forth in the response to the Final Rejection, additional claimed features are also lacking in Davidson and Norris.

Thus, even if combined, Davidson and Norris would not have resulted in the invention of claims 1, 6, and 7. Accordingly, a *prima facie* case of obviousness cannot be established. Specifically, before considering what would be obvious to one of ordinary skill in the art at the time of the invention, the art must teach or suggest the claim limitations. See MPEP §2143.

Furthermore, no motivation would have existed to modify Davidson with the disclosure of Norris. Davidson is directed to a computer program to be installed on a loan applicant's computer. The program receives information from the applicant and creates a loan file based on that information. This system facilitates lending institution processing by providing information to the lending institution in an acceptable format. The program leads to a standardization of paperwork to enable any lending institution employee to review and understand the loan file without consulting with the loan officer. See Column 2, lines 1-29 of Davidson. Thus, Davidson does not contemplate automating the entire process so as to minimize participation of lending institution employees. In fact, eliminating participation of lending institution employees as suggested by Norris would have been contrary to the objectives of Davidson.

Thus, the combination of the teaching of Davidson and Norris is insufficient to establish a *prima facie* case of obviousness against claim 1, 6, and 7 because the combination of references fails to disclose each claimed feature and because no motivation would have existed to combine the references.

Claims 2-5 depend from claim 1, and define over the art of record for at least the reasons set forth above with respect to claim 1. Claims 8-20 depend from claims 1, 6, and 7 and therefore define over the art of record for at least the reasons set forth above with respect to claims 1, 6, and 7. Accordingly, withdrawal of the rejection of claims 1-20 under 35 U.S.C. §103 is respectfully requested.

III. Conclusion

As set forth above, applicants respectfully submit that all claims are in condition for allowance. Withdrawal of all rejections and prompt passage to issuance are earnestly requested. In the event Applicants have overlooked the need for an extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefore and authorize that any charges be made to Deposit Account No. 50-4494.

Should the Examiner have any questions regarding any of the above, the Examiner is respectfully requested to telephone the undersigned at 202-346-4016.

Respectfully submitted,

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